

REMARKS

Claims 1, 2, 5, 6, 14, 17-26, and 30 are pending and stand rejected. In this response, Claims 27-29 and 31 have been cancelled. Claims 1, 2, 5, 17, 18, 19, 23, 25, 26, and 30 have been amended. In view of the amendments and the following remarks, the Applicants respectfully request the Examiner's thoughtful reconsideration.

Claim Objections

The Examiner objected to Claims 25-30. Those Claims have been amended to address the Examiner's concerns.

Claim Rejections – 35 USC §103

The Examiner rejected Claims 1, 2, 5, 6, and 31 as being unpatentable over US Pub 2002/0037091 to USPN 6,317,848 issued to Terasaki in view of USPN 6,526,155 issued to Wang. In order for the Examiner to establish a *prima facie* case of obviousness under §103, three base criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. M.P.E.P. § 2142.

CLAIM 1: Claim 1 is directed to a method for adding a watermark image to a composition and, as amended, recites the following:

1. a watermark service receiving a network communication selecting a watermark image, the watermark service operating on a network server,

- the watermark service being stored on a first network server and having access to a plurality of watermark images;
2. the watermark service accessing a target composition that includes one or more graphic references, the target composition being stored on a second network server such that the watermark service accesses the second network server on which the target composition is stored to access the target composition; and
 3. generating a watermark composition comprising the one or more graphic references of the target composition and a reference to the selected watermark image.

Terasaki and Wang, individually and combined, fail to teach or suggest generating a watermark composition that includes a reference to a watermark image and one or more graphic references where the watermark image is accessible by a watermark service and the one or more graphic references are included in a target composition.

Teresaki discloses an image transmission system includes: a client; a server; and a network connecting the client and the server. See Teresaki, Abstract. The server includes: a watermark insertion section that forms high-resolution data as an image data file to be transmitted and low-resolution data as a general purpose format file of image data to which an electronic watermark is given to specify the high-resolution data as watermark information whose resolution is reduced relative to the high-resolution data. See Teresaki, Abstract. Teresaki's low resolution data includes a watermark that references the high resolution data. See Teresaki, para [0030]. Teresaki simply does not teach or suggest the use of a reference to a watermark image in the manner recited by Claim 1. Furthermore, Teresaki fails to teach the use of a target composition that includes one or more graphic references in the manner recited by Claim 1. Wang fails to address this Teresaki's deficiencies.

For at least this reason, claim 1 is patentable over the cited references as are Claims 2, 5, 6, and 14 which depend from Claim 1. Claim 31 has been cancelled.

Claim Rejections – 35 USC §103

The Examiner rejected Claim 14 as being unpatentable over US Pub 2002/0037091 issued to Terasaki in view of USPN 6,526,155 issued to Wang in further view of US Pub 2001/0013097 issued to Ito. Claim 14 depends from Claim 1 and includes all the limitations of that Claim. For at least the same reasons Claim 1 is patentable, so is Claim 14.

Claim Rejections – 35 USC §103

The Examiner rejected Claims 17-30 as being unpatentable US Pub 2001/0013097 issued to Ito.

CLAIMS 17 is directed to a system for adding a watermark to a composition, comprising:

1. a watermark service coupled to a network and having access to imaging service content representing a plurality of watermark images; and
2. a computing device coupled to the network, the computing device configured with a browser, wherein the browser is configured to:
 - a. receive the imaging-service content from the watermark service,
 - b. enable a user of the browser to select a watermark image from the plurality of watermark images represented by the imaging-service content,
 - c. obtain a reference to the selected watermark image designated for integration with a target composition stored in a data storage device communicatively coupled with the computing device, the target composition including one or more graphic references, and
 - d. at least initiate the generation of a watermark composition comprising the reference to the watermark image and the one or more graphic references.

Like Teresaki and Wang, Ito fails to teach or suggest system that uses a reference to a watermark image in the manner recited by Claim 17. Furthermore, Ito fails to teach a system that uses a target composition that includes one or more graphic references in the manner recited by Claim 1. Ito simply teaches adding a digital identifier to digital content where that identifier is unique to a viewer of the content. See, e.g., Ito, Abstract. Ito does not teach adding a reference to a watermark image to the digital content, nor does Ito teach that the digital content includes one or more graphic references.

For at least these reasons, Claim 17 is patentable over Ito as are Claims 18-24 which depend from Claim 17.

CLAIM 25 is directed to a computer-readable medium storing computer readable instructions for:

1. receiving imaging-service content representing a plurality of watermark images;
2. enable a user to select a watermark image from the plurality of watermark images represented by the imaging service content;
3. obtain a reference to a watermark image selected by the user;
4. identify one or more compositions designated for integration with the reference to the selected watermark image, each of the one or more compositions including one or more graphic references;
5. for each of the one or more compositions, initiate the generation of a watermark composition comprising the reference to the watermark image and the one or more graphic references of that composition at least one target composition; and
6. initiate the storage of the one or more generated watermark compositions in a personal imaging repository.

Like Teresaki and Wang, Ito fails to teach or suggest a computer readable medium storing instructions relates to the use of a reference to a watermark image in


the manner recited by Claim 25. Furthermore, Ito fails to teach the use of compositions that includes one or more graphic references in the manner recited by Claim 1. Ito simply teaches adding a digital identifier to digital content where that identifier is unique to a viewer of the content. See, e.g., Ito, Abstract. Ito does not teach adding a reference to a watermark image to the digital content, nor does Ito teach that the digital content includes one or more graphic references.

For at least these reasons, Claim 25 is patentable over Ito as are Claims 26 and 30 which depend from Claim 17. Claims 27-29 have been cancelled.

Conclusion

The foregoing is believed to be a complete response to the outstanding Office Action. Claims 1, 2, 5, 6, 14, 17-26, and 30 are felt to be in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited.

Respectfully submitted,
Shell Sterling Simpson

By 

Jack H. McKinney
Reg. No. 45,685

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